

The National Organization of Victims of "Juvenile Life"

We Oppose HB 4518, 4594, 4595, 4596 and Senate Bills 173, 174, 175, 176 **Victims' Families should ALL be notified of Legislation that would retroactively change LWOP sentences**

We pose a very serious question: Why isn't this hearing room filled with the grieving victims' families of these crimes for which you are considering releasing these murderers serving natural life sentences? Because they don't know what you are proposing. No one has told them. And they have a right to know. They are, at the very least, key stakeholders in this discussion.

They thought that a Michigan Court of Law's final judgment of a life without parole sentence for someone who murdered their loved ones meant they could walk away with, at the very least, legal finality. To retroactively require them to attend parole hearings for the rest of their lives, to constantly have to re-engage emotionally with this offender - what you propose is literally torture.

Public Officials in Michigan owe it to the most innocent in this state, the victims of horrifically permanent violent crimes perpetrated on them deliberately by another human being who chose to do unspeakable evil, to STUDY the effects of parole on victims' families first. And then study what alternative solutions to reforming JLWOP that would satisfy human rights concerns and that could much more easily be put in place, such as giving judges discretion in all juvenile homicides whether or not they are tried as an adult.

These proposals are NOT the solution. The solution to this "problem" is to take a hard look at the Michigan mandatory transfer system by which juvenile offenders are transferred to adult court in the first place. Amend or drop entirely these bills and start work on a solution that embraces first the victims of these violent crimes. One does not accomplish a "reform" by simply transferring the life sentence from the offender to the victim. Advocates for the offenders advance myths and ignore the victims' rights to be here today:

- **MYTH:** The real "problem" with the whole JLWOP situation is the age of the offender.
FACT: The real problem is that someone is dead - murdered. There is nothing but devastation left in the wake of this crime.
- **MYTH:** We solve this "problem" by helping the killers in prison obtain regular hearings for possible release and requiring victims' to constantly re-open their cases every few years for the rest of their lives.
FACT: We address this "problem" by helping the victims of these crimes deal with the staggering and life-changing harms done to them and provide them with legal finality and by addressing the mandatory transfer laws that take away the discretion of Michigan's judges in these cases.
- **MYTH:** The offenders in these cases are "children."
FACT: 53% of all the offenders serving "juvenile life without parole" (JLWOP) were 17 at the time of their offenses - hardly "children." The majority of the remaining were 16 and fully aware of the criminality of their offenses.
- **MYTH:** The ages of the offenders are not considered in the legal process.
FACT: Some Michigan cases do give special reviews for juvenile transfer issues. Most states nationally give these offenders extra layers of review and protection because of their age. Many teen murderers never go to adult court. Judges should have discretion with the elimination of mandatory transfers to adult court, while victims are protected from further agony.
- **MYTH:** The frontal lobes of the brains of teens are not fully developed and therefore they are not fully culpable.
FACT: The argument of frontal lobe development is not applicable here. If this were true, no one could be tried or sentenced as an adult until their 30's! In fact, people learn right from wrong at a very young age and can behave accordingly. When these offenders chose to murder our loved ones, they knew it was wrong and illegal. (Source "Brain Overclaim Syndrome")
- **MYTH:** International standards require these bills to be passed.
FACT: Treaties for Children's Rights require that they be treated differently than adults in criminal matters. Michigan can do that by eliminating mandatory transfer to adult court and putting layers of protections into their due process, without having to require life-long agonizing and unending trauma for victims' families.

We are asking the offender advocates and legislators to observe Victims Rights and respect Restorative Justice Principles. The crimes in these cases represent the "worst of the worst." The victims' families are key stakeholders and should be involved in this public policy discussion. They have a right to be notified of these pending bills that could free their loved ones' killers and sentence them to a lifetime of re-traumatizing parole hearings.

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